HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

Standing Committee on Public Safety and National Security

SECU • NUMBER 117 • 1st SESSION • 42nd PARLIAMENT

EVIDENCE

Thursday, May 31, 2018

Chair

The Honourable John McKay

Standing Committee on Public Safety and National Security

Thursday, May 31, 2018

● (1210)

[*English*]

The Chair (Hon. John McKay (Scarborough—Guildwood, Lib.)): Ladies and gentlemen, can I ask you to take your seats, please?

I apologize to our witnesses for the interruption, but as our clerk has explained, we had a bunch of votes that had to take place. As a consequence, we've now shifted everything scheduled from 11 to one o'clock to 12 to two o'clock. Two o'clock is a hard stop. Unless colleagues have any wild objections, I propose to stay with our normal questioning slots.

I see that we have our video conference witnesses with us this time. Because technology is a fickle thing—I was going to say mistress, but I'd better not say that.

A voice: That's a good idea.

The Chair: I propose that we go with our video conference witnesses first. I am conscious of the Hipwells' desire to make it to the airport, but I think we're good to make it to the airport.

Unless the video conference witnesses have any particular objection, I'm going to go with the order in which you're listed, which is the Firearms Instructors Association Canada first, with Mr. Martin and Mr. Nielsen, followed by Heather Bear, vice-chair, Saskatchewan Region, Assembly of First Nations.

With that, we'll hear from either Mr. Martin or Mr. Nielsen.

Mr. Allan Martin (President, Firearms Instructors Association Canada): Good morning. My name is Allan Martin, and I want to thank you for welcoming me. I hope I can be a good addition to your information today.

The Chair: Do you have a prepared statement for 10 minutes? If not, that's fine. I just didn't know if you did or not.

Mr. Hugh Nielsen (Master Instructor, North Island and Sunshine Coast Regional Director, Firearms Instructors Association Canada): From me or from Allan?

The Chair: From either one of you, but the total is 10 minutes.

Mr. Hugh Nielsen: Okay. I'll go first. We'll do our 10-minute statement now.

The Chair: Thank you.

Mr. Hugh Nielsen: I'll take five, and then Allan will take five.

Who am I? My name is Hugh Sidney Nielsen. I belong to the Lower Mainland Métis Association. I was raised in northern Ontario. I am ex-military and was in mining most of my life. With vast experience, I'm a master instructor for the Canadian firearms safety course program.

To make my statement easier, would those people on the committee who have a firearms licence or have taken a PAL course raise their hands? Does everyone hear me?

The Chair: Our witnesses have lots of PALs, but—

Voices: Oh, oh!

Mr. Hugh Nielsen: I'm talking about your people right in the committee itself.

The Chair: That's why I'm asking. Mr. Calkins has a PAL.

Mr. Motz, do you have one?

Mr. Glen Motz (Medicine Hat—Cardston—Warner, CPC): I've taken the firearms safety course.

The Chair: But you don't have a licence? Okay.

There are two.

Mr. Hugh Nielsen: Two, so I have to change my wording a little because there's a lot of information in the firearms safety course that, obviously, if you haven't taken the course, you're not aware of.

The instructors in Canada, we are the gateway for safety for firearms. Nobody even gets to the RCMP for a licence until they have gone through us. Our duties are instruction and making sure that the students are proficient and can pass the Canadian firearms safety course. Then they go to the RCMP and are vetted. The information that we give them is known across Canada as with all the instructors. There are a few things in different provinces where it seems that the different firearms officers have built little kingdoms across Canada, and they change it at will.

This new legislation is supposed to correct and make safe firearms owners and the general population in Canada. What has come out here, it's not targeting the problem. In terms of the statement that since 2013 crime has steadily gone up, 2013 was the safest year in Canada since the sixties. Yes, there are people who have actually come in and created problems, but this legislation does not attack those. I use the word "attack". It will hit the rural farmer who has to use a firearm. It will hit the first nations who are trying to make a living in remote areas with that firearm, which is a tool for survival. It will hit the ordinary target shooter, but I do not see anybody from the gangs in Abbotsford or Surrey coming through our courses to take the PAL. There are actually incidences where the PAL has been counterfeited in Courtenay. I can't speak any more to that because it's in the RCMP's hands.

In terms of the information that was brought together for this proposal here, this legislation, you do have the people out there. You have the field officers, the people out in front. You have the firearms officers, and you have the conservation officers, who actually, in their duties, encounter more people with firearms than the average person because they're out working with hunters and so on. You have to have input from officers in the field for any of this to succeed. I think, having seen the people I've run through this course across British Columbia, this course should be mandatory for all enforcement personnel.

I do a lot of papers for the RCMP for different students, and I get very good reviews, such as, "We should have taken this when we took our Depot". This is where I think it would be a big step up.

There should be an addition to the course, too, to include a protocol for when one is approached by the government officials: a firearms officer, conservation officer, RCMP. To the person in our class, we should be able to say that this is what you do, because they do have a firearm in their possession. For the safety of both them and the raw recruit who just came out of Regina, who probably hasn't seen some of these firearms, these are some of the things I want to work on.

The last thing for me is first nations and firearms. I don't know what's happening across Canada—

● (1215)

The Chair: Excuse me, Mr. Nielsen. I appreciate that you still want to get to your last point, and that's perfectly fine, but I just want to make sure that you know that at this point you have three minutes left to share between you and Mr. Martin.

Mr. Hugh Nielsen: Thank you very much. I will cut off and hand over to Mr. Martin. Thank you.

The Chair: Okay. Thank you.

Mr. Allan Martin: Thank you for the opportunity.

Basically, I would like to remind the committee of the stats on homicide: 0.2% per 100,000 people is the homicide rate in Canada. This is StatsCan talking. That narrows the impact of why you're proposing this law. The law itself affects the public and you're providing public safety. Unfortunately, the public is not well informed about firearms.

Prohibited firearms compared with legal firearms in our testing in the Canadian firearms safety course...and indeed that's one of my credits. I was representing British Columbia and the Yukon territory in the rewrite of the text we use currently in Canada. There is no provision for questions on what constitutes the difference, for the public, between a non-restricted firearm—which is legal, a rifle or a shotgun—and a prohibited firearm. There's very little information to question the new students on.

We have approximately two million licences in Canada at this point in time. Those people go through the Canadian firearms safety course training, and you have the provision there to improve the questioning so that the general public is more aware of the differences in firearms. An assault rifle constitutes fear in the general public, yet an assault rifle in Canada is prohibited. This is a gun where the operator is able to change from a semi-automatic, which is a legal non-restricted firearm, to an automatic, which becomes a machine gun at the operator's discretion. If we look at President Clinton's 2004 law that prohibited these firearms, there is a legal description of assault rifles. I think we should bring that description forward and say that right now certain firearms are legal in Canada but assault rifles are not. We should make the general public, at least graduates of the Canadian firearms safety course, aware of that description.

● (1220)

The Chair: Thank you, Mr. Martin, and thank you, Mr. Nielsen.

We'll now hear from the Assembly of First Nations, Heather Bear, vice-chief. I will ask everyone to observe our time allocations.

Thank you.

Vice-Chief Heather Bear (Vice-Chief, Saskatchewan Region, Assembly of First Nations): Good morning.

First of all, to the committee, I'd like to say I'm happy to be here. I wish I didn't have to be here, but I'm greeting you from the beautiful, unceded and unsurrendered Treaty No. 6 territory in Saskatoon.

Bill C-71 is the subject of a great deal of controversy and commentary across Canada. First nations have a long history of using firearms in cultural activities in this country. In all legislative matters that may have the potential to impact aboriginal and treaty rights, the AFN continues to advocate and work with the governments to incorporate our perspectives into Canadian laws.

The key issues at stake in Bill C-71 are Canada's power to monitor the activities of gun owners, particularly extending their requirements for background checks; the imposition of restrictions on the transport of restricted and prohibited firearms; new record-keeping requirements for a retail business selling firearms; more power to the RCMP to classify firearms without ministerial oversight; and requiring private citizens to confirm the validity of the firearm licence of the recipient whenever a firearm is either sold or given away, in an effort to reduce gang and gun violence.

On these issues, first nations have expertise and hard experience to offer this committee, and also to the government and Canadians as a whole. While many first nations would agree that handguns, restricted firearms, and other weapons used by gangs should be taken off the streets, the core of this discussion is the balancing of federal laws and authorities with the perspectives of first nations and the aboriginal treaty rights affirmed under section 35 of the Constitution Act, 1982. First nations as individuals and as nations will assert our fundamental cultural rights to hunt, fish, and trap. First nations have had a right to transmit their cultures to the future generations without outside interference.

With the promise to build on the nation-to-nation relationship with first nations by the Canadian government, opportunities to voice our concerns such as this are vital for not only the Canadian legal framework, but also for the country of Canada as a whole. Parliament needs to consider the impacts of this legislation on first nations at the earliest stages of the process. Bill C-71 has provisions that could adversely impact first nations' rights, and these provisions should be amended by this committee before the legislation proceeds to the next reading.

The proposed amendments to the Firearms Act raise serious constitutional concerns to first nations. Our first concern is that this bill does not incorporate or safeguard our aboriginal and treaty rights that might be impinged, such as our treaty right to hunt. Nowhere in this draft legislation does it state how the provisions of the bill will be implemented for first nations or on our reserves. It should be made clear that the first nations' hunting rights will be respected and that we won't need a transport certificate for any kind of hunting rifle, even those classified as restricted.

Our aboriginal and treaty rights are foundational and are affirmed in section 35 of the Constitution Act, 1982. They take precedence over laws that apply generally to all Canadians. We ask Canada to protect our right to freely transport firearms on our territories and in the exercise of our hunting rights.

Our second concern is with the new transportation and transfer requirements for restricted and prohibited firearms. There are no guidelines for these new amendments and how they would apply to first nations. In particular, how would they apply to hunting purposes on first nations? Although most hunting rifles are currently not restricted, that could change under the classification system. These provisions will further affect the intergenerational transmission of our culture through the transfer of a firearm.

Future changes in the classification system could make currently non-restricted firearms become restricted. The RCMP has discretion to designate any particular firearm as restricted, prohibited, or non-restricted. On what basis will the RCMP make those decisions? Who will receive the classification to make sure that the hunting rifles remain unrestricted?

● (1225)

Concerning background checks, under the new rules, the entire life of a person who applies for a firearm licence will be examined, instead of just the past five years. First nations people are more likely to have criminal records due to systemic discrimination and other reasons I won't get into right now, but is it fair that a person could be denied a licence on the basis of a criminal offence committed 20 or 30 years ago? Does that really predict how likely he or she is to misuse a firearm today? Obviously we need to keep firearms out of the hands of dangerous criminals and people with serious mental illnesses, but why punish a person who made a mistake decades ago?

Canada says that Bill C-71 will reduce gang violence, but many gang members obtain guns illegally on the black market. The new rules affect law-abiding citizens and don't do anything to curb gang violence. The homicide rate in Canada for licensed gun owners is 0.6% per 100,000, which is one third the rate of the general population. Instead of placing unnecessary restrictions on the rights of licensed gun owners, Canada should do more to directly address gang violence. This means making sure first nations have the funding to operate their own police forces and that they are properly trained and equipped.

Bill C-71 brings in new firearms transportation laws, which will be an additional responsibility for first nations police services. Canada continues to designate our police services as non-essential and fails to provide enough funding under the first nations policing program. The first nations police agencies must provide a service equal to that of non-indigenous police services. This bill will further burden our police forces, and we will require more investment to uphold the enforcement requirements of this bill.

First nations police forces are also equipped with inferior weapons compared with gangs, and more training for certification of firearms used by other police forces must be made available to first nations police agencies. Currently, there are no provisions in the bill for increased funding for first nations police forces.

This bill proposes additional requirements for businesses to keep records of the sale of firearms and of purchasers. We have concerns around privacy provisions, which are not in this bill. In the event of a breach in security of these records, how will this legislation ensure the safety of confidential information? Records need to be kept for 20 years and are supposed to help authorities keep track of the sales and distribution of firearms. What about the rights of the people who purchase these weapons? Records should be kept in a locked, fireproof, and waterproof safe to which only the manager or owner of the business has access.

These are our concerns regarding this proposed legislation. We will continue to uphold first nations' rights and continue our long-standing traditions of hunting, trapping, and gathering on the lands we have tended for countless generations. Unfortunately, the process for developing this legislation did not meet the federal government's duty to consult and accommodate. We stand with the many other Canadians who are not willing to forfeit their fundamental rights and freedoms, and who are asking that this government engage in more careful crafting of this important piece of legislation. Canada must do better and more to meet its constitutional and treaty responsibilities to first nations.

I would like to thank this committee for its efforts to listen to first nations. We would like to continue to work with the Canadian government on this important issue, and are open to providing more insights on gun legislation.

I'd also like to add that the overall perspective is that first nations have exclusive jurisdiction to govern and regulate any activity over their lands and people, including the use and regulation of firearms, but I also want to speak about the cultural perspective as a mother and a grandmother. When you look at our young men—my son, my nephews, my grandchildren—it's a beautiful thing when they have that rite of passage and can have a gun. It generally comes as a gift.

● (1230)

[*Witness speaks in Cree*]

The Chair: Thank you very much. I appreciate it. I hope your clock is running the same as our clock.

Vice-Chief Heather Bear: It's faster. I still had a minute to go.

Voices: Oh, oh!

The Chair: I will leave you to take it up with the clerk.

Vice-Chief Heather Bear: Okay. I appreciate it.

The Chair: From the Ontario Federation of Anglers and Hunters, we have Mr. DeMille or Mr. McRae.

Mr. Matt DeMille (Manager, Fish and Wildlife Services, Ontario Federation of Anglers and Hunters): Thank you, Mr. Chair.

Good afternoon, Mr. Chair, and members of the committee.

On behalf of the Ontario Federation of Anglers and Hunters, our 100,000 members, supporters, and subscribers, and our 740 clubs across Ontario, thank you for inviting us to talk about Bill C-71, an act to amend certain acts and regulations in relation to firearms.

My name is Matt DeMille, and I'm the manager of fish and wildlife services with OFAH. With me is Brian McRae, who is responsible for looking at the technical aspects of firearms policy for the OFAH.

The OFAH is the largest conservation-based organization in Ontario, but we also represent all possible firearms interests, including hunting, trapping, and recreational shooting. Additionally, we represent 56 shooting clubs that operate 80 licensed firearms ranges approved by the chief firearms officer.

We are the only fishing and hunting organization appearing before this committee, but our submitted brief that you have in front of you has been endorsed by our affiliates from coast to coast to coast. This includes the Yukon Fish and Game Association, Northwest Territories Wildlife Federation, British Columbia Wildlife Federation, Alberta Fish and Game Association, Saskatchewan Wildlife Federation, Manitoba Wildlife Federation, Fédération québécoise des chasseurs et pêcheurs, Prince Edward Island Wildlife Federation, Nova Scotia Federation of Anglers and Hunters, and Newfoundland and Labrador Wildlife Federation. In total, our organizations represent approximately 345,000 Canadians.

In our time today, we will only be able to touch on a few highlights of Bill C-71. In our submitted brief, you will find a thorough analysis of each clause of the bill including background context, outstanding questions and concerns, as well as results from a survey conducted by the OFAH in April on Bill C-71, of more than 3,500 firearms users. We have copies of the full survey report if anyone is interested.

Bill C-71 was tabled as public safety legislation that would respect the firearms community. We don't believe this bill accomplishes either of those stated intentions and, as a result, we cannot support the bill as written.

Unfortunately, Bill C-71 is far too light on sound rationale and far too heavy on uncertainty to convince us it will truly enhance public safety. The paper-thin rationale has further undermined an already strained relationship between firearms owners and government when it comes to firearms policy.

To start, the government has overstated and misrepresented statistics to create a post-2013 Canadian firearms crisis that simply isn't true. In fact, long-term trends actually show overall firearms-related crime is on the decline. Whether deliberate or not, this tactic has sown skepticism in the need for such sweeping changes to firearms legislation. It's not off to a good start.

Next, the bill is intended to enhance public safety as part of a much larger policy initiative to tackle gangs and gun violence. On this, Bill C-71 is silent. A quick scan of the bill shows no direct reference to gangs, gun violence, organized crime, and illegal cross-border smuggling of firearms.

That quick scan also reveals that the bill is entirely focused on the law-abiding firearms community. It's not hard to see why 97% of respondents to our survey felt it is too focused on law-abiding citizens to provide any net gains for public safety. Firearms owners obviously feel unjustifiably targeted before even looking under the hood of this legislation.

Let's take a look at the specific elements of the bill, starting with enhanced background checks. The OFAH is not opposed to background checks that look back more than five years, but the government needs to convince us that this will actually increase public safety. Firearms owners are already one of the most vetted segments of Canada's population. Right now existing firearms owners undergo continuous eligibility screening through the Canadian Police Information Centre to verify there has been no criminal activity since acquiring their licence. It is our understanding in Ontario that the chief firearms officer is not limited right now in how far they look back for the criteria they use during eligibility assessments for licence applicants. It begs the question, are the proposals actually enhanced background checks?

Next, let's look at licence verification. Right now, responsible firearms sellers check to make sure buyers have a licence, and they already have the ability to call the Canadian firearms program to verify, if necessary. The OFAH supports the intent of licence verification as it protects the seller and ensures a legal transaction, but our support for the proposed change is dependent on a user-friendly process that incorporates an accessible, timely, and effective appeal system if verification is not granted. We also think it should end there. We have yet to see evidence that clearly shows any issues, such as illegal firearms sales, under the current process, or that the proposed reference number database could effectively assist police. How much will a reference number database cost, and will it actually enhance public safety?

Next, let's look at retailer record-keeping. Record-keeping is something many businesses already perform as a best practice. The OFAH is not opposed to mandatory retailer record-keeping, but many firearms owners are concerned about the safekeeping and privacy of records as well as how records will be accessed by police.

● (1235)

To mitigate these concerns, we would like to see specific provisions added to establish security standards and penalties for non-compliance to ensure the privacy and security of personal information. Additionally, there must be strict guidelines for police accessing records to ensure that it is not used inappropriately.

Next, let's look at automatic authorization to transport. The OFAH cannot support the proposed removal of automatic ATTs. Bill C-71 should be amended to rescind this proposal.

During testimony to this committee on May 8, 2018, the RCMP indicated the number of ATTs issued for gun shows, 250, and gunsmiths, 131, in 2015, was an extremely small percentage of the overall 143,000 issued across Canada. That's only slightly more than a quarter of 1%. It's a different proposal but the same question: how can this possibly enhance public safety?

Next let's look at classification. The focus should not be on who is responsible. Rather, it should be on how firearms are classified. Form and function should determine classification, and not emotional responses to the appearance or perception of a firearm. One of our survey respondents stated, "Assault is the act of inflicting harm or threatening to do so. Assault is not a synthetic stock with a curved magazine and a semi automatic action." Arbitrary classification of firearms is a significant concern.

Government should establish and adhere to a standardized process for classifying or reclassifying that is consistent, transparent, evidence-based, has full consultation with firearms users, and also has an effective appeals system. Bill C-71 should establish this requirement.

Lastly, let's look at the long gun registry records. A lot of confusion remains about the long gun registry records that exist today. Although we are being told that only the Quebec records still exist, the firearms community wants clear public statements on what records remain, how they can be used, and why the government is handing them over to Quebec after the Supreme Court decision. Transparency in this will help build trust.

In conclusion, it is becoming increasingly clear that Bill C-71, as written, is not likely to achieve the lofty goals presented for this proposed legislation. We are imploring this committee to ask tough questions and seriously consider meaningful amendments. Our opposition to Bill C-71 is not partisan. It is not emotional. It was not predetermined on principle. It was only after a thorough critical analysis that we arrived at the same conclusion for almost every proposal; it won't enhance public safety. The evidence simply doesn't support it.

Licensed firearms owners care about public safety as much as other Canadians. The firearms community is not against firearms legislation. If evidence shows a change is required to enhance public safety, then we will look at it objectively. First we need to ask ourselves, do we need more restrictions on law-abiding Canadians, or will that simply pull the easiest policy lever to say we are doing something for public safety? More red tape on an already highly regulated firearms community won't provide any appreciable benefit for public safety.

We applaud the government's commitment of $327.6 million over the next five years to combat gangs and gun violence, with the intent to spend $100 million per year once the first five years are up, but why is Bill C-71 silent on increased penalties for serious firearms crimes? Targeted legislated action toward gangs, not guns, would be a true complement to the funding committed by the government in 2017. This can be achieved with amendments to Bill C-71.

In the end, Bill C-71 has created confusion, concern, and eroded confidence in the government's approach to firearms policy. There has been very little convincing evidence to demonstrate a need for most of the proposed changes, and this has left the majority of the firearms community in opposition to the bill. If the government is serious about respecting the firearms community, then it can't move forward with Bill C-71 without significant amendments, amendments not only to help minimize the unnecessary scope of its impact on law-abiding firearms owners but also to introduce tangible provisions that directly tackle the stated intent of addressing gun violence. If nothing else, meaningful amendments would signal that government is listening to help rebuild some of the trust lost in this process.

Thank you.

● (1240)

The Chair: Thank you, Mr. DeMille.

Finally, we have John Hipwell or Matthew Hipwell for 10 minutes.

Mr. John Hipwell (Past President, Wolverine Supplies): Mr. Chair, ladies and gentlemen of the committee, Matt and I would like to thank you for the invitation to appear before you today.

We believe that matters of public safety and national security should be above party politics. We should endeavour to work on common ground. We speak from practical experience, and everything we present to you in our brief is fully supported by the 12 annexes that are included. We will always support improvements to our firearms control system if they improve public safety and national security, and are fair and practical. Sadly, Bill C-71 fails to achieve this.

Based on our practical experience, we present to you our brief on firearms classification. Here is a short summary.

Mr. Matthew Hipwell (Owner, Wolverine Supplies): Good morning. I'm Matt Hipwell, and I've spent nearly the past 17 years as a front-line RCMP officer.

When the RCMP specialized firearms support services classify a firearm, it is issued an FRT, a reference number. The FRT is not law. I've seen this statement from several members of the RCMP, including Murray Smith. I quote Murray Smith as saying, "the Firearms Reference Table has no standing in law. It's simply the... viewpoint of the firearms program on classification and description of any particular item." It is the perceived policy of police departments, the CFC, CBSA, EXCOL, and others that the FRT is law. Many organizations, both government and civilian, believe the FRT is law. As the FRT is only the opinion of the RCMP, it has no legal standing and we have no formal appeal process to challenge any decision they make.

The FRT is not available to the general public, so most legal firearm owners are normally unaware of any changes made to the FRT. The FRT is a tool developed by the RCMP. The FRT information is used during the process of firearms identification, classification, tracing, importation, registration, transfers, and public agency recording, along with a few others. As there is no legal requirement for the firearms classification and the FRT, it has no statutory authority. There are no time requirements for replies to questions from the members of the firearms industry concerning firearm classification and the issuing of the FRT.

We are told that all requests from law enforcement departments take priority, that the section is understaffed and underfunded, and decisions on firearm classification can take up to five years to be made.

Mr. John Hipwell: Incorrect firearms classification and consequently the issuing of incorrect FRT by the RCMP is a serious problem. One example here is a Turkish-manufactured MKA 1919 semi-automatic shotgun, manufactured by several Turkish manufacturers and marketed by even more Turkish exporters under several different model designations and names, the most common name being the BR-99. Although these shotguns differ in details such as butt stocks, sights, and colour, they are the same original design.

This shotgun was submitted to the RCMP in 2010 by CanadaAmmo, a Canadian importer. In 2013 Wolverine Supplies imported a shotgun of the same design manufactured by Alpharms; we were advised it was restricted. In 2013, I submitted my technical requirement as to why these shotguns were incorrectly classified as restricted. The RCMP reviewed these shotguns and in 2016 the classification was corrected to non-restricted and a new FRT issued. This delay of six years for a correction translates into several million dollars in lost sales, which has a direct impact on small businesses' employment. We employ over 20 full-time staff.

Mr. Matthew Hipwell: I have been advised by the RCMP that the only way I can legally challenge the FRT ruling is to put myself in the position where I face Criminal Code charges. It is not reasonable that to implement change I must face criminal charges. In my position as an owner of a firearm business that is an impossibility. It would give the RCMP reason to close me down. Even if I defeated the charges later in court it would effectively bankrupt me, destroying my business and a lifetime of hard work, and 20 staff would be unemployed. We would currently have to risk everything to challenge the FRT, which is not a legal requirement, has no legal authority, and is created by civilian employees of the RCMP.

The problem of correctly classifying firearms is further complicated, as a lot of vitally important definitions are neither clearly nor legally defined. They are open to different interpretation and opinion.

● (1245)

Mr. John Hipwell: For example, the use of the word "variant". When some previous firearms were classified by order in council, the phrase "and variants" was added. There is no legal definition of "variant".

In the past, as with the MKA 1919 and Alpharms shotgun, if it looked like an M-16, it was reasonable to assume that it was considered a variant. After protests from us, the FRT on these shotguns was changed from restricted to non-restricted.

The RCMP claims to be forensic firearms specialists. How can they classify a firearm simply because it resembles, in outward appearance, another firearm and still maintain any kind of professional credibility?

Please note in the above examples, that both the first and later corrected FRT have the same number, despite being given a different classification. The FRT is not available to individual owners, and no one in the firearms industry was ever notified by the RCMP of any changes to the FRT. These changes could result in criminal charges to unknowing firearms owners. We do not believe this is a desirable situation for anyone as it can catch an innocent person.

Mr. Matthew Hipwell: Another problem is the increased use by the RCMP of what is known as the R. v. Hasselwander case. This is where a judge ruled that, if a firearm could be readily and easily converted to discharge shots in rapid succession with a single pressure of the trigger in a relatively short period of time and with relative ease, it is in fact prohibited. This is a very general statement, and key areas are not defined like "readily and easily", "relatively short period of time", and "relative ease". All of this is open to interpretation. In the original court case, an experienced Ontario Provincial Police armourer used a file to modify a semi-automatic Thompson submachine gun back to fully automatic in less than 15 minutes.

The RCMP are using this judgment in order to classify many firearms as prohibited, despite needing major machining, design, and the manufacturing of missing parts. In a recent conversation with Mr. William Etter, the chief firearms technologist, he said that they sourced missing parts from their own stores and that this was not counted in the decision. These parts are not commercially available to civilian firearms owners.

With advanced technical knowledge and tools, it is theoretically possible, although illegal, to alter firearms so that they are capable of being fully automatic. However, it is certainly beyond the capabilities of most ordinary hunters and sport shooters. That is why we feel it is so important to have clear definitions in this area.

There must be the ability to appeal firearm classification decisions to a review board of subject matter experts, including industry and legal experts, engineers, and designers, as we require a decision based on mechanics and law, not personal opinion. If we continue to allow the RCMP SFSS to dictate FRT classification based on their opinion of what the intent of the law is and their interpretation of court decisions, there must be an appeal process in place before it is assumed to be law.

In summary, our understanding of Bill C-71 is that the RCMP will be given the authority to classify firearms with no appeal process and without government interference. The RCMP SFSS has made errors in the past, and there is no reason to believe that this will change.

Clear, accurately defined definitions of the criteria used to classify firearms need to be established. This area is too important to be left to personal interpretations and opinions. There's a need to establish an appeal process for firearm classifications to an independent board of subject matter experts. This would be, in effect, an impartial technical committee. Reasonable time limits for the classification of firearms and appeals need to be established with compensation paid if these times are not met.

With that, I'd like to thank you for this opportunity to speak this afternoon.

The Chair: Thank you, Messrs. Hipwell.

Colleagues, we have roughly 70 minutes left.

With that, I'll ask Mr. Fraser for seven minutes, please.

Just for the purposes of the witnesses, it's the member's seven minutes, but it is a hard stop at seven minutes, whether we're in the middle of a question or the middle of an answer.

● (1250)

Mr. Sean Fraser (Central Nova, Lib.): Thank you very much, Mr. Chair.

Thank you to all of our witnesses for joining us today. I'll start with the Ontario Federation of Anglers and Hunters.

I had the opportunity to sit down with your Nova Scotia counterparts before Bill C-71 was tabled and hear some of the same thoughts that you expressed today.

One of the items that you mentioned was that you don't necessarily have opposition to the record-keeping by vendors, provided that there are certain protections put in place for personal information. Right now the bill would require, before police can access the record, that they have judicial authorization in the form of a warrant.

Is this kind of protection from the police gaining access to that information enough?

You also mentioned that we should consider penalties for non-compliance of the vendors.

Mr. Matt DeMille: Yes. Just for clarification, I think the point that we're trying to make is.... There are kind of two points there. There's the police access, but there's also the vendors themselves and how they keep and maintain their records, making sure that the information is confidential and is not open in plain sight, and that it's not accessible by anyone else.

Mr. Sean Fraser: Just to break the two up, with respect to police access, to me the gold standard is having a judge authorize access ahead of time in all cases. For just the police access issue, is that enough to satisfy you that the police wouldn't be abusing that, or are there other measures we could be considering? I don't want the police to just give this information for personal interest, for example.

Mr. Matt DeMille: Yes. I think judicial authorization is the main part of that, but if we unpack that a little bit, I think some of the things that we were thinking are related to making sure that the judicial authorization is specific to an investigation and that they're looking at only one thing. There's a lot of concern within the firearms community about what are referred to as "fishing trips", the concern that police may go and look for more than they need. It's really about targeting.

Mr. Sean Fraser: In terms of the penalties for non-compliance, if the vendor violates the privacy and trust of the firearms owner, what kind of a penalty scheme are you contemplating that would actually satisfy you that this is going to be dealt with in a responsible way?

Mr. Matt DeMille: I don't really have a specific answer.

I think at this stage, it's more about ensuring that in the legislation there's something that enables the ability to do that. I think that's more for the drafters and probably legal counsel. It's not for us to determine penalties.

Mr. Sean Fraser: One of the other items that you mentioned was with respect to background checks. You said that you didn't necessarily have opposition to going beyond five years, but you wanted to make sure it was enhanced.

My understanding of what the bill aims to do is to look at criminal or mental health history that would make the person more prone to committing a violent act going forward. Are there other features we could add to ensure that we're actually targeting the right people, in the right way, with these enhanced background checks?

Mr. Matt DeMille: I think that our comments were mostly focused on our understanding of how the process works in Ontario.

It's our understanding that the chief firearms officer can already go and look beyond five years. They can look for a lifetime. They're not necessarily limited in the criteria. When they do the risk assessments, they're actually looking at much more than what's narrowly defined in the current legislation.

I think that change in the legislation may not actually turn into a functional difference in what the chief firearms officer can do now.

Mr. Sean Fraser: On the same topic, going to Ms. Bear with the AFN, you mentioned that for a whole host of reasons, which you quite rightly didn't have the time to get into, systemic discrimination and so on, first nations people more often have criminal records than other Canadians.

One of the issues that I just raised was the fact that these background checks are only meant to target people who are more likely to commit a violent act.

Do you think that if we ensured that the background checks weren't targeting those, maybe, who possessed a beer when they were 18 years old and the age of majority was 19, but targeted somebody who, seven years ago, was in a violent relationship, for example.... Would that be enough to satisfy you, as long as it's targeting the people who are actually more prone to commit violent acts?

Vice-Chief Heather Bear: I think that is a possibility.

The fact of the matter is that many of our aboriginal or first nations people plead out guilty, and many times they're not. Poverty is another issue. The inability to seek proper legal counsel [*Technical difficulty—Editor*] courthouse. The word just swings back and forth —guilty, guilty, guilty. I've seen it and witnessed it many times. Not all of our people are guilty of the crimes they have been charged with.

Like I say, for those known violent offenders, yes, I think there should be harsher laws or mechanisms in place to ensure the safety of everyone.

● (1255)

Mr. Sean Fraser: I probably have enough time for one more question, if both OFAH and perhaps Wolverine Supplies, have time to offer comments.

One of the issues I have heard about in my community is that there are some people who think parliamentarians, as opposed to the RCMP, should be making the classification. For a few reasons, I'm a little bit nervous about putting it directly in the hands of people who are subject to political pressure, who are both prone to knee-jerk reactions when they see something happen in a different part of the world but are also subject to lobbying efforts by well-funded lobby organizations on the other side.

To me, the salve for this is likely one of transparency. Do you think that things could be made better if the classification decisions by the RCMP required them to put forward reasons as to why they were classifying a particular firearm?

Mr. John Hipwell: If the definitions were clearly defined, anybody could classify a firearm. We have no problem in Canada in classifying handguns. We just have to check. Is it centrefire or rimfire? Is it 32 or nine millimetres? We check the calibre, and we check the barrel length. If the barrel is 105 or shorter, it's prohibited. If it's 106 or more, it's restricted. It's a done deal. I can have a firearm verified over the phone or emailed in a report. There's no question.

It's when we get into other firearms that the definitions are not clearly defined. When they're open to interpretation and opinion, we have no appeal process. The experts have made a lot of errors, as we have pointed out. There's—

Mr. Sean Fraser: I just have 10 seconds left, I'm just curious with the transparency point I raised. Is that something that you think would be a positive development from OFAH?

I apologize for cutting you off.

Mr. John Hipwell: We can't get forensic reports now.

Mr. Matt DeMille: Absolutely, a standardized process that has that transparency: it's consistent, evidence-based, and shows that evidence with full consultation with firearms owners, as well as an appeal process. That's what we want.

The Chair: Thank you, Mr. Fraser.

Mr. Calkins, you have seven minutes.

Mr. Blaine Calkins (Red Deer—Lacombe, CPC): Thank you very much, Mr. Chair.

I appreciate the witnesses' testimony here. I have questions for all of you. I'm hoping to get to them. I just want to make sure that Mr. DeMille, the Hipwells, and everybody who is paying attention right now understands that Mr. Fraser brought this up. The chief firearms officer right now has warrantless access to all of the records at anybody's retail store. When the chiefs of police association witnesses were here previously at this committee, I asked the specific question about warrantless and warrant access to those records, and they said the line is fuzzy, which I think is something that we should be very concerned about.

My question is to the firearms instructors association. You said that gangsters are not getting their licences. Well, they didn't register their firearms in the long gun registry, either. You talked about falsified licences. The Minister of Public Safety made what I would consider a hopeless attempt to actually blame the sourcing of firearms that are used by gangs today on illegally obtained or stolen firearms from lawfully abiding firearms owners. You talked about the fact that organized crime might be actually using falsified licences right now. Is there anything in this bill that you're aware of, very briefly, gentlemen, that would deal with somebody who used a falsified licence to obtain a firearm?

Mr. Hugh Nielsen: There is a file on this instance with the RCMP. In Courtenay, British Columbia, there was a person making the counterfeit PAL, and apparently according to the source I talked to, he did a better job than the federal job. They were much more authentic. That being said, British Columbia is a hub for marijuana and other things. It's also a hub for its sport shooters. However, I am not aware of where those went. That's up to the RCMP.

Mr. Blaine Calkins: Thank you very much.

Mr. Hugh Nielsen: It was there and that was reported to the firearms officer in Victoria.

Mr. Blaine Calkins: Okay. Thank you very much.

My next question is for Ms. Bear from the Assembly of First Nations. Do we still have her?

Vice-Chief Heather Bear: Yes, I'm here.

Mr. Blaine Calkins: Notwithstanding the litany of things that you went through, and I certainly appreciate the fact that I think you're bang-on, on a wide number of those, especially the duty to consult. I don't want to talk about the duty to consult right now.

During the testimony from various witnesses before this committee, some of the members of this committee have used props. They have held up pictures of firearms that would be a semi-automatic .223 that could easily have a wooden stock and a hunting scope on it and still work the same way as another firearm. They have also held up some pictures of firearms that are bolt-action long-distance rifles that could be potentially used for hunting. I asked questions about various other calibres.

Are you aware that the appearance of a firearm, even if it happens to be a bolt-action firearm that might hold four rounds, is actually under scrutiny as something that could be or should be reclassified as a prohibited firearm in Canada? How would that make the hunters in the Assembly of First Nations feel?

● (1300)

Vice-Chief Heather Bear: I think the infringement, first of all, on our treaty and inherent rights, the treaty right to hunt.... I'm around hunters all the time. I just don't see how gang issues come into, you know, restricting hunters from hunting. When you're part of a gang, it's lawless.

Mr. Blaine Calkins: Yes.

Vice-Chief Heather Bear: They're not following the rules anyway.

Mr. Blaine Calkins: I appreciate that very much.

Vice-Chief Heather Bear: I mean, with all reason, we don't go out and shoot bear and moose with machine guns or you know—

Mr. Blaine Calkins: I understand that. My point is that a firearm that shoots a certain calibre, because it happened to be a military round.... We all know that military rounds also are hunting rounds. A .303 round, for example, is one of the most common military rounds in history, but it's also one of the most common hunting rounds we have.

As a matter of fact, the Canadian Rangers have just switched out from the .303 calibre bolt-action rifle here a little while ago.

Vice-Chief Heather Bear: If I could interject, I do know first nations who are collectors as well, so something might fit in that category.

Mr. Blaine Calkins: Fair enough.

To our friends at the Ontario Federation of Anglers and Hunters, you mentioned some of the privacy concerns. We haven't had an opportunity to have the Privacy Commissioner before this committee. Do you think that might be a good idea?

Mr. Matt DeMille: I don't know necessarily about having the commissioner and how that works with the committee, but I think with anything where you're talking about records, privacy is a fundamental concern.

Mr. Blaine Calkins: You said you had hundreds of thousands of members. Did you ask them any questions in your surveys about privacy?

Mr. Matt DeMille: No, we did not.

Mr. Blaine Calkins: How would you generally feel, though? You would have a sense from your members of how they would feel about the privacy of their firearm information.

Mr. Matt DeMille: That's an interesting point. We didn't ask the question, but in the comments we received it was in many different suggestions that we had and concerns that people had. It is top of mind for our members and the people who answered our survey.

Mr. Blaine Calkins: Thank you. That's fair enough.

I have some questions for our witnesses from Wolverine Supplies.

This is the first time I've heard about this firearms reference table. I'm a member of Parliament. I've been a hunter. I've been a law enforcement officer. I've been issued firearms for my duties in law enforcement. I've grown up on a farm, and it was a rite of passage for me to receive my first .22 to go and shoot gophers for my father. When I see what happened with Bill C-68 and will happen moving forward, I wonder whether you can give us more clarification on why we should be concerned about this firearms reference table and clarify exactly why we're in this predicament.

I think there's a lot of consternation. I don't have a problem with the RCMP's expertise coming to bear on making decisions on classification, but I also want your opinions on whether you think they should be the only expertise coming to bear on making classification decisions.

Mr. John Hipwell: If the definitions that were used to classify firearms were clearly defined, I would have no objection to anybody's classifying a firearm. Anybody in this room could classify a firearm, if they were given certain criteria.

Mr. Blaine Calkins: Okay. That would be such things as barrel length, rimfire, centrefire, and so on.

Mr. John Hipwell: Yes.

Mr. Blaine Calkins: If the RCMP were the sole proprietors of technical information and were whispering in the ear of the minister, recommending that all semi-automatic firearms in Canada be restricted or prohibited, would that be something you would agree with?

Mr. John Hipwell: No, because you've changed things. There's nothing in the regulations to say that we have to determine whether a firearm is semi-automatic or non-semi-automatic to move it from one class to another. That determination is the job of Parliament. That is the purpose of government.

If you want to prohibit all semi-automatic firearms in Canada, go for it. Put it in the bill. Let us debate it.

The Chair: Mr. Calkins, that will have to do.

Mr. Blaine Calkins: Right now they could, couldn't they, if they wanted to?

Mr. John Hipwell: The way this is set up, yes, they could.

The Chair: Thank you both.

Mr. Dubé, you have seven minutes, please.

[*Translation*]

Mr. Matthew Dubé (Beloeil—Chambly, NDP): Thank you, Mr. Chair.

I am going to follow up on the replies you just gave to Mr. Calkins.

According to what I understood, even before Bill C-71 was tabled, everyone, no matter which side of the debate they were on, agreed that because of the evolution of what is available on the market, the definitions needed to be reviewed in order to allow the RCMP to be better equipped to do the classification work.

Is that conclusion correct, in your opinion?

● (1305)

[*English*]

Mr. John Hipwell: Technology evolves. When I started shooting, I wanted a blued steel and a walnut stock. Then it shifted to stainless steel and synthetic. Now everybody wants polymer, black Parkerized finish, sniper stocks, and ventilated handguards, because this is what people see on the video games and in the movies. It's the way things have naturally developed.

Underneath, though, a gun is a gun. You can dress a sheep up as a wolf, but it's still a sheep. It doesn't matter what colour it is or anything else. We have the basic criteria laid down with magazine capacity, barrel lengths, calibre restrictions. That's how you control firearms.

[*Translation*]

Mr. Matthew Dubé: This leads me to my next question and you will have to forgive me because I am not an expert.

Regarding the modification of firearms, you mentioned a case that is before the courts. In your comments, you said that someone from the Ontario Provincial Police was able to modify a firearm in less than 15 minutes. You did specify, however, that the parts needed to modify a firearm were not available to the public.

This is not a trick question; my interest is sincere. How is it that modified firearms are used in various events that are broadcast on the news?

[*English*]

Mr. John Hipwell: Okay, there are two different scenarios here. With the Thompson, the OPP armourer, who was a very experienced individual, was able to sit in court with a couple of hand tools and modify the gun and make it go fully automatic. The judge ruled this was a prohibitive firearm. I think that was quite a reasonable decision, but in his decision he used the phrases "easily convertible" and "with reasonable ease". Those definitions were not defined. He didn't say, if an experienced man can modify it in 15 minutes, it's prohibited. Now it goes to the RCMP lab and they have told me they'll modify the gun and then they have access to their own sources for the missing parts, which they can put in.

Guns are very different. Some can be modified simply with a few hand tools. Others are manufactured specifically for the civilian market so that the military full-auto parts are not put in and the receiver is machined in such a manner that even if you had the parts you couldn't put them in, plus there is no availability of these parts. For the average sportsman, it is impossible to do, plus there's the fact that it's a Criminal Code offence and somebody would lose his PAL. He'd lose all his firearms rights after that.

[*Translation*]

Mr. Matthew Dubé: With your permission, I will ask my next question, since my speaking time is limited.

The question is addressed to the representatives of both organizations. I will begin with the Ontario Federation of Anglers and Hunters.

What could transparency on the part of the RCMP look like? Are we talking about a report that would be tabled when the classification of a firearm is changed?

[*English*]

Mr. Matt DeMille: As you said, transparency is number one, and that just means, as we talked about earlier, having the information that's used in determinations up front and making sure there is information collected from people from all interests, including indigenous peoples, about how they use those firearms, what they are, what they mean, so that we can make good decisions.

It is having that upfront process where we have good information to make good decisions that is the most important thing.

Mr. Matthew Dubé: Have you anything to add?

Mr. John Hipwell: Yes. We cannot get detailed reports from the RCMP on how they manage to convert a firearm. In the early days we could. We could apply under access to information and get a full forensics report detailing what they did. That is now blocked. We can no longer get a detailed report. They will tell us that they were able to convert it to fully automatic fire, and therefore, it is a prohibited firearm. They don't tell us how long it took, how much machining, or anything else.

Mr. Matthew Dubé: Thanks very much.

My final question, again for both of you, concerns record-keeping. Record-keeping was in place from the 1970s until about the mid-1990s. I'm just wondering how in its previous iteration it affected, in one way or another, your members, or in your case, your business.

● (1310)

Mr. Matthew Hipwell: Regarding the business, I'll put a different slant on it. As a police officer, if I went before a judge with 20-year-old information and an application for a search warrant, the judge would politely laugh at me and ask me to do my investigation and come back. I don't see how 20-year-old information is going to enhance—

Mr. Matthew Dubé: Sure, but I'm just wondering, under the law previously when record-keeping was required prior to the long gun registry, how that affected the operation of your business. It's the green book, as they called it.

Mr. Matthew Hipwell: That's the physical registers back in earlier days.

Mr. John Hipwell: We have to keep records as a responsible business for Canada Customs, for the CFC, for GST, for PST. There is no end of reasons why we keep records, not just specifically to trace firearms.

Mr. Matthew Dubé: Barring the form that this will take, it wouldn't be a drastic change for—

Mr. John Hipwell: It depends on the format, but, as Matt was also saying, if the RCMP didn't have a search warrant, they would have to produce a production order before we would hand over information.

I was unaware of that until Matt joined us. Prior to that, if the RCMP contacted us on whether we had such-and-such a gun in our possession, who we sold it to, when we sold it, in the spirit of co-operation—I'm sticking my neck out here—we would have given them the information. When Matt joined us he said, whoa, you can tell the RCMP that you have the information but they cannot demand it without a search warrant or a production order.

The Chair: Thank you, Mr. Dubé.

[*Translation*]

Mr. Picard, you have seven minutes.

Mr. Michel Picard (Montarville, Lib.): Thank you.

I have a question for the Ontario Federation of Anglers and Hunters.

You raised the issue of the best commercial practices for arms retailers. I imagine, as Mr. Hipwell pointed it out, that these practices are the subject of improvements so that the enterprises keep track of the commercial transactions they engage in.

In your opinion, could that information be compared to a firearms registry?

[*English*]

Mr. Matt DeMille: Well, that's not a loaded question.

Mr. Michel Picard: No.

Mr. Matt DeMille: When we're talking about retailer record-keeping, and we look at it from a best management practices perspective, that's done a lot. Wolverine Supplies would likely be able to talk to this better than we can because it's their business. It's for different things, such as for insurance purposes and compliance, that they have as a business owner or vendor. That's one of the real reasons it's done.

Is it a registry? Whenever you're collecting and keeping records that have access to it, it can be considered a form of registry. Is it the long gun registry that we knew a few years ago? No, that's absolutely different, but I think it is still a collection of records, which in some way is a form of registry. How those records are used will determine what kind of registry it is.

[*Translation*]

Mr. Michel Picard: Thank you.

Ms. Bear, I'd like to draw your attention to an ambivalent situation and I need your knowledge, your traditions and your culture to make the necessary distinctions.

Our goal is certainly not to withdraw privileges from you, nor to limit the cultural advantages you are entitled to. We also agree that no firearm should find its way into the hands of criminals or gangs. We are aware of that problem.

The problem I want to submit to you today is of another order. According to other witnesses that appeared before the committee, the presence of firearms in a home constitutes a threat of family violence and keeps women and children in a state of insecurity.

How can you manage that issue? If background checks are not sufficiently rigorous, how can we monitor the presence of firearms in a residence? How can we intervene to reduce this threat, which targets mostly women?

● (1315)

[*English*]

Vice-Chief Heather Bear: Thank you for making that point.

You really have to look at this from a lens. In our first nations community, we know our people, and I think we work hard to put an end to child and family violence. When you look at the hunter.... I'm coming from a perspective where you put food on the table, and the wild meat, the diet, is part of the culture. I don't think dangerous offenders or.... I work towards harsher laws for perpetrators who commit crimes against indigenous women and girls. The other bill that we're trying to get through is Bill S-215, Senator Lillian Dyck's bill.

Background checks could be in terms of maybe five years, but going back 20 years...because in terms of our culture and community, we work towards reconciliation. I think this is where you look to the nation. We know our people. I know in my first nation, the chief and council have banned certain individuals from hunting for certain transgressions, but like I said, leave it to the communities. That's their jurisdiction.

[*Translation*]

Mr. Michel Picard: I have a question for the representatives of Firearms Instructors Association Canada.

From the outset, you raised the importance of being well informed. The need to know what you are dealing with is a matter of common sense, all the more so when we are talking about handling a device that is normally used for lethal purposes.

You say that there must be adequate training. Is that to ensure that people have a better understanding of the lethal potential of firearms, or is it to make them better understand how they work, so that they can acquire better firearms and more of them?

[*English*]

Mr. Allan Martin: First of all, communication is the most important element in the political system, and right now the rural or general public are confused by the terminology the federal government has instituted. One example is what a non-restricted firearm is; it's a rifle or a shotgun. What is a restricted firearm? It's a handgun—a pistol or a revolver. What is a prohibited firearm? It's an automatic weapon. Assault rifles fall into the automatic weapon category, and they are indeed fodder for the news media, the broadcasting, and so on.

What we need is a system whereby the general public has access to the particular information that identifies those categories. I propose that you consider a bill of sale, available with their firearms training. The bill of sale would include a place for both the buyer and the seller, and also the list of descriptors that identify what they have. At the bottom, you could put a link to the Canadian firearms safety centre, so that the buyer or seller can contact them and say, "I have one that's borderline and, therefore, am concerned to know whether it's legal or illegal for me to buy it."

The Chair: We're going to have to leave that answer there, unfortunately, Mr. Martin. Mr. Picard's time has finished.

Mr. Motz, take five minutes, please.

Mr. Glen Motz: Thank you, Mr. Chair.

Thank you to all the witnesses for being here today.

Ms. Bear, I'm going to ask you a question first. I appreciate your testimony today and the honesty with which you've provided it.

Are you aware whether the Assembly of First Nations was consulted on this bill prior to its introduction?

● (1320)

Vice-Chief Heather Bear: According to my briefing notes, I don't see what we define as "consultation". At FSIN, for example, we have a consultation policy that is very inclusive—chiefs, councils, and communities. I would thus have to say no.

I know that consultation has always been the issue here and that we need to do better when it comes to inclusiveness, especially when there is a potential infringement of our treaty rights.

Mr. Glen Motz: Based on that, then, is it possible that the Assembly of First Nations would launch a constitutional challenge on this bill as a result?

Vice-Chief Heather Bear: Yes, absolutely. I think that whenever there is a potential infringement, we have treaty rights protection tribunals that watch very carefully whenever transgressions or issues like this come up. Yes, it's eyes wide open.

Mr. Glen Motz: Thank you.

I want to allow you an opportunity to expand briefly on comments you made during your presentation, ma'am, about.... There is a gun violence—or a gang and gun violence—problem in this country, and first nations are not immune to that circumstance.

Do you believe—and you can expand upon this, because you said it doesn't apply—that this bill helps in any way? You said it didn't. Can you explain that a bit further?

Vice-Chief Heather Bear: I really don't see how laws are going to change the gang culture. It's there. It's going to be there until we deal with the root causes—poverty, education, housing. There are social and economic issues that could be focused on, but I don't believe restricting guns is going to stop the violence that exists because of those underlying issues.

Someone who is involved in a gang is usually not a law-abiding citizen. The thing is that our experiences as first nations have not been positive, so sometimes disobedience of the law exists because of our experiences and systemic racism.

Mr. Glen Motz: Thank you very much, Ms. Bear.

To the Ontario Federation of Anglers and Hunters, was your organization consulted at all prior to this bill being introduced?

Mr. Matt DeMille: Since this government took power, I think there was an understanding that there was going to be firearms legislation changes coming. It was in the platform and we understood that. There was direct engagement between our organization and the minister's office to try to understand what that was going to look like.

Right from the beginning, this mirrored that platform, so I think we kind of expected that these things would come out, specifically—

Mr. Glen Motz: Expecting it to come out because it's part of an election platform does not mean that you were consulted prior to it becoming the bill that's introduced today.

Mr. Matt DeMille: If your question is whether we saw the text of the legislation before it was tabled, the answer is no.

Mr. Glen Motz: Were you consulted on the development of it?

Mr. Matt DeMille: We did have conversations—not me personally—as an organization about how some of those things might look in the legislation, based on those election platforms. That's why I drew that conclusion as to where they came from.

Mr. Glen Motz: Okay.

Mr. Glen Motz: I've heard that insurance companies are suggesting or potentially demanding that gun-shop owners obtain business record insurance for the protection of their records should there be a data breach if this bill is passed.

Can you speak to that, or have you heard anything in your experience based on that?

The Chair: That's an important question, but you're going to have to work it back into some other answer.

I'll turn to Ms. Dabrusin, for five minutes, please.

Ms. Julie Dabrusin (Toronto—Danforth, Lib.): Thank you.

One of the things we have talked about a fair bit in some of our last sessions is about straw purchases. We've had evidence from the police, for example, that the number of domestic-source crime guns is growing.

I am wondering if I could direct my questions to Wolverine, because you are in the business of selling guns.

What would we be able to do to help you flag if someone were purchasing a large number of guns and there was a possibility that they would be purchasing guns to divert them into the illegal market?

● (1325)

Mr. John Hipwell: It's the access to fast, accurate records. We don't sell a firearm, of any class, or a box of ammunition out of our store without doing a PAL verification. Gail, the young lady who works for us, is responsible for that. She has a good rapport with the CFC. We do a check on everything.

Only recently—this week, in fact—in talking to a firearms officer, I was made aware that false PALs are a problem within the system. As a business, we've never been notified of that.

Ms. Julie Dabrusin: I'll go back to where I was going to go, but that raises a good point. It has come up a couple of times now.

Would calling in to verify a licence then help to make sure you are not dealing with someone who has a false licence that they're presenting to you?

Mr. John Hipwell: Yes. We currently do that.

That's all a retail customer needs to do. They don't need to keep records. They need to call in. It's a simple question: is it valid or not? It's like using a credit card in a store. If your credit card is declined, you're not told why it's declined. The merchant doesn't know why. It's just not valid, end of story. That's all we need to know.

Ms. Julie Dabrusin: That's perfect. That helps me.

I want to go back to an issue that's come up in correspondence from the mayor of the City of Toronto. It came up again with the police a bit, so I'm trying to flag it. How is there a way that there can be red flags for people who seem to be purchasing an inordinate amount of firearms and there's a concern that they may be diverting them to the illegal market?

For example, I was looking at an article in the *Toronto Star* from a couple of years ago, and there had been someone arrested and charged with diverting into the illegal market, but who did have a licence. They had purchased 23 handguns during a 22-month period, including 15 from one store.

You're on the front line of being able to help us. What would be a way that we could find the proper systems to flag that?

Mr. John Hipwell: I guess you could purchase 100 guns from one store, or you could purchase one gun from 100 stores. I'm not sure that I can give you an answer there.

There's a lack of trust between the authorities and the firearms businesses, and there are bad apples in every barrel. There have certainly been some businesses that have been closed down, and rightly so. I'm not sure how we can improve that exchange of information. We do have some firearms collectors, skilled professionals, doctors, surgeons, engineers, oil field workers. They spend thousands of dollars every year on this. To put a dollar value on it, I don't think would help either.

Ms. Julie Dabrusin: No. It wasn't about a dollar value.

Mr. Hipwell, you just had your finger up. I don't know if there was something that you wanted to add. I'm trying to seek your assistance in trying to figure out what would be appropriate to get those flags because that is one of the concerns that has been raised. How do we get that?

Mr. Matthew Hipwell: It has me thinking of identifiers, markers, and how could you look at it, but I don't have an answer for you at this time.

Ms. Julie Dabrusin: If you do get an answer, if something comes to your mind and you're able to send that in, that would be wonderful. I'd appreciate that.

You did mention that you keep records now, and that when you make a sale, you keep a record of that transaction. Is that correct?

One of the issues that just came up from the Ontario Federation of Anglers and Hunters was the security of those records. Given that you have those records, do you feel confident in the security that you have in place right now for the business records containing personal information for your customers?

Mr. John Hipwell: On our premises, we store a huge number of firearms. I think their security is more important than the records. If the security is good enough for the firearms, I think it follows that our records are okay.

● (1330)

The Chair: Thank you, Ms. Dabrusin.

[*Translation*]

Mr. Paul-Hus, you have the floor for five minutes.

Mr. Pierre Paul-Hus (Charlesbourg—Haute-Saint-Charles, CPC): Thank you, Mr. Chair.

My first question is for Ms. Bear.

I agree with you regarding the ancestral rights and the rights and freedoms of the first nations. I also consider that honest hunters and sport shooters like myself should benefit from the same rights and freedoms.

My colleague, Mr. Motz, asked you some questions about the consultation. I want to confirm today that the first nations were not consulted at all.

On this topic, I would like to know whether you know how many aboriginal people have a firearms acquisition permit. We know that approximately 2 million Canadians currently hold one.

In your area, is it mandatory to have a permit? I believe the answer is yes. If that is the case, how many of them are there?

[*English*]

Vice-Chief Heather Bear: I know that many of the first nations in our region in Saskatchewan are occupying the field for several outfitters for, you know, permits. The chief and council will [*Technical difficulty—Editor*] so much permits, now weighing in with guns.... We're occupying the field and each nation is autonomous. There are 74 first nations in Saskatchewan. Each nation has the autonomy and authority to make laws in their communities for their people, by their people.

I believe there are over 30 outfitters—first nations that do outfitting—but that's just an extension of their hunting culture.

[*Translation*]

Mr. Pierre Paul-Hus: I understand that. In the final analysis, there is really no control. Each nation or reserve can manage the firearms as it sees fit. It isn't really necessary to obtain a firearms acquisition permit from the federal government.

Are there businesses on reserves that sell firearms, for instance Wolverine Supplies?

[*English*]

Vice-Chief Heather Bear: When it comes to the handling of guns, it's more of a customary practice. For example, you would be gifted a gun. Even traditionally, if someone were going to be a chief, it would be a gun in a blanket. Guns are handed down, just like in your family.

Like I say, the problem we have is the lack of respect from government to help us enforce those laws, but we do have customary practices when our elders gather. When the clan mothers say something, the men will enforce it.

If there's an issue regarding guns, they'll deal with it in a more communal way in many instances. I can't say overall, because we need to respect the true autonomy, jurisdiction, and authority that each first nation has. That's what we need to understand, and that treaty right to hunt is on and off reserve as well.

[*Translation*]

Mr. Pierre Paul-Hus: Thank you, Ms. Bear.

Mr. DeMille, do you think that imposing more regulations on law-abiding hunters will reduce gun violence?

[*English*]

Mr. Matt DeMille: No, as we said, I think a lot of the proposals are really looking at things that can be done to licensed firearms owners, and adding additional restrictions on an already highly regulated system and group of people is not going to have that appreciable benefit that we're going to see with respect to violence. Therefore, we think there need to be more proposals targeted directly at that, and not indirectly, as some of these proposals are intending to do.

[*Translation*]

Mr. Pierre Paul-Hus: Indeed, the monitoring processes for the owners of legal firearms are very strict here, but do you think there are processes to identify those who own illegal firearms and take action against them?

Perhaps Mr. Nielsen could answer the question.

[*English*]

Mr. Matt DeMille: I don't really have any specific recommendations on how to do that.

I don't know, Brian, if you have anything you'd want to add. That's kind of outside of our wheelhouse.

[*Translation*]

Mr. Pierre Paul-Hus: Mr. Nielsen, did you understand my question?

● (1335)

[*English*]

The Chair: You have less than 10 seconds.

Mr. Pierre Paul-Hus: I'll need more time for the translation.

Mr. Hugh Nielsen: Yes, I did. I want to go back to work with Madam Bear on the first nations. I didn't get my point in there. The first nations have been really discriminated against since firearms were brought in.

Even in Ontario, I was a hunter instructor in 1968. The first nations have not had to have a licence to hunt. They have had their status cards, and therefore, there was no training. It goes today. There is still no training. However, every person in Canada who owns a firearm has to have a licence, and then they have to go through training. From a lot of the statements and questions from your members here, it's quite obvious that you haven't taken a firearms safety course, because all that stuff is in there. Social responsibility is a major problem.

I teach right from the Lower Post First Nation in the Yukon right through to anywhere. I teach on the coast for all first nations—

The Chair: We're going to have to leave it there, Mr. Nielsen. We've gone well over the time, notwithstanding translation.

Mr. Hugh Nielsen: Okay. Thank you.

The Chair: Thank you.

Mr. Fragiskatos, you have five minutes.

Mr. Peter Fragiskatos (London North Centre, Lib.): Thank you very much.

My question goes to Mr. Martin and Mr. Nielsen.

Mr. Nielsen, when I was a kid, I took a firearms safety course, for what that's worth. Then again, I haven't asked my question yet, so we'll see where things go.

I want to ask you a question relating to authorization to transport. Until 2012, restricted and prohibited firearms owners had to get an authorization to transport their firearm to a gunsmith. Therefore, it was not automatic. Under C-71, as you know, this requirement will change.

The question I have for you, sir, is this. What, if any, provincial rules regulate what a gunsmith is and—more importantly—where they operate from? From a legal perspective, can anyone be a gunsmith, hold that title, and run that sort of operation? Also, can they operate from, let's say, a garage or a basement in their home?

Mr. Hugh Nielsen: A gunsmith, to my knowledge, is a person who has been a tradesman, and he will have a ticket to repair guns.

What this bill does is actually a safety issue. You've taken the course, you're on the range, you fire, and you have a misfire. That means the gun doesn't work. You wait 60 seconds with the firearm pointed in a safe position and you cannot now retrieve that bullet. You have a gun that doesn't have a bullet in it. Where are you going to take it?

Mr. Peter Fragiskatos: I don't mean to cut you off, sir, but I have limited time. Again, back to the question—

Mr. Hugh Nielsen: Okay.

Mr. Peter Fragiskatos: Under provincial regulations, what rules exist that apply to gunsmiths—specifically, to where they operate? Let's put it succinctly like that. Can a gunsmith operate anywhere? Can they operate in their home, in their garage or basement? Also, when you say the "ticket" they have, what's that the result of? Did they have to go through extensive training? What are the requirements? Are they licensed? Tell us about gunsmiths.

Mr. Hugh Nielsen: Allan will respond to this.

Mr. Allan Martin: First of all, the word "smith" is determined as a German word meaning "mechanic". A mechanic takes training for a five-year period. A place of business is sponsored by a business licence, so it might be a home business or it might be commercial. We are not versed in that criteria. Effectively, taking a firearm to a gunsmith—this is a person with absolute knowledge on repairs—puts a safe gun back in the hands of the general public.

Mr. Peter Fragiskatos: What you're telling me is that an individual seeking a gun to a gunsmith could, effectively, go to someone's garage, go to someone's basement—to use those examples. They can operate there, gunsmiths can. That's what I'm getting from you.

Mr. Allan Martin: No. A home business is not in a garage per se. There are certain criteria for a home business in most communities. If he is a legitimate gunsmith he will advertise his trade. He will be identified as such. They have a professional code to live up to.

● (1340)

Mr. Peter Fragiskatos: Thank you very much.

To the OFAH, in fact to all of you but particularly to the OFAH, I represent an urban-based riding but it's surrounded—London, Ontario, is—by rural communities. I know you've done a lot to promote hunting in Ontario. It's a prized tradition, as is target shooting. Yes, I represent a city, but I really respect the work you have done, although we do disagree on certain points.

The argument with respect to classification is where I want to go. It assumes, your argument does, that you'll find a sympathetic hearing when it comes to any classification controversy. In your brief you say here that you would prefer for the law, on matters of classification, to open a door for parliamentarians to weigh in, Canadians at large to weigh in. I can tell you—I know my constituency best here, so I'll speak for London North Centre—there's great concern when it comes to guns. Any opportunity that there is to strengthen public safety, particularly on background checks but in other ways, I think Canadians can get behind that.

Let's look at parliamentarians. There are 338 members of Parliament. Some of us are gun experts, apparently. Mr. Calkins has spoken at length about his expertise in the area of guns, and I have no information to doubt that. Do you think that parliamentarians are best suited to deal with these sorts of concerns?

The Chair: Mr. Fragiskatos, this has happened two or three times in the course of this hour. Members run through their five minutes and then leave it to the witnesses to try to answer when the time has already expired. I have to be a little rigid about the expiration of time. Again, I'll invite witnesses to try to respond to Mr. Fragiskatos' important question in some other response.

We have a final three minutes allocated to Mr. Dubé. We have roughly 15 minutes left, colleagues. If you wish, we can just go five minutes, five minutes, back and forth. Is that suitable until two o'clock? Does that work?

Some hon. members: Agreed.

The Chair: Okay. Would you indicate to the clerk your order of questioning?

Mr. Dubé, you have your final three minutes.

Mr. Matthew Dubé: Thank you, Chair.

I just want to go back to the question that I asked previously. I don't think the Ontario Federation of Anglers and Hunters had a chance to respond. Again, on shop record-keeping, I don't know if you're able to answer this, but what, if any, impacts did it have on your members under its previous existence prior to the long gun registry?

Mr. Matt DeMille: In this case these are records that are, for all intents and purposes, owned by the vendor and not by government. It's not the responsibility, necessarily, of the firearms purchaser to keep any records. It's really more on the vendors, I think. What we talked about earlier on purchasing a firearm, from our perspective, is mostly about how those records would be kept, ensuring the safekeeping of those records. Also, then, we're wondering now, in looking forward at what may come through this legislation, how those records would be accessed and used in the future.

Mr. Matthew Dubé: The last question I have for both of you is just about transferring firearms from one individual to another. Feel free to correct me if I'm wrong, but my understanding is that the reference number that's been generated—which has been the cause of some controversy, for lack of a better term—is simply used to confirm that the verification was done insofar as the legislation would require it.

I know that's different from what happens now, because restricted and prohibited firearms are registered, but for non-restricted firearms, as is proposed in Bill C-71, would it not basically just be a number—like a package tracking number you'd get from ordering something online, for example—where you just punch that in to validate the transaction and then sell your firearm, contrary to the existence of a registry, for example?

Mr. Matt DeMille: It was our understanding that the Canadian firearms program would maintain records of those reference numbers, and associated with those would be the PAL of the seller and the buyer. Therefore, there would be some personal information, through that, attached to that reference number. That's our understanding of how that would happen.

Mr. Matthew Dubé: Okay.

Were you given any information on how that information could be accessed—the reference number and so forth?

● (1345)

Mr. Matt DeMille: No, and that's an area we would like to learn a lot more about. That's where the devil is in the details about how those records would actually be used. That's a really important thing for us to get some more information on in order to make an informed decision on what that looks like.

The Chair: Thank you, Mr. Dubé.

We have five minutes for Mr. Spengemann.

Mr. Sven Spengemann (Mississauga—Lakeshore, Lib.): Thank you very much. My questions are for Ms. Bear.

Ms. Bear, thank you very much for being with us. The committee is assembled on and greets you from the unceded traditional territory of the Algonquin people.

I wanted to give you the opportunity—you've touched upon it in conversation with colleagues—to restate the importance of firearms, both culturally and economically, to our first nations. Be as comprehensive as you'd like to be, perhaps with the assistance of Mr. Nielsen, and then I have a second question for you that I'm hoping to get in within the five minutes I have.

Vice-Chief Heather Bear: Okay. If I can understand the question, you're asking about our cultural perspective in terms of guns?

Mr. Sven Spengemann: The significance of the firearm, both traditionally and culturally. You mentioned it as a gift, but I'm wondering also about the firearm as a means of earning a livelihood, both through hunting and through guiding.

Vice-Chief Heather Bear: Yes. First, I just want to quickly share that as a rite of passage, many of our young sons go through a training. They go through what you might call your licence, the FAC. It happens when a boy goes into puberty, so it is a rite of passage.

We hunt for sustenance. We hunt for ceremonies. We hunt for our culture and our way of life. We make sausage, we dry the meat, and for our diet it's critical. When we talk about food sovereignty, that's very important to our people. We have a right to live the way we've always lived. In the days before treaty and the days before colonization, we had our ways and great respect for our tools, whether it be a gun or whatever tool you use to hunt.

We don't live in a lawless land. We have an oral tradition. Our laws are embedded in our oral tradition, and that's where we get our training. It's the best training in the world.

Mr. Sven Spengemann: Thank you so much for that.

Mr. Nielsen, perhaps you mentioned it in your comments earlier. How important is the ancillary business of guiding and hunting tourism to our indigenous peoples?

Mr. Hugh Nielsen: I want to touch on a point Ms. Bear made, which is that on the application form for aboriginal hunters, it says, "Are you a sustenance hunter?" Most people who are processing that think of sustenance as only providing food for indigenous people. Sustenance means to sustain. It's like she said. It's for hides, and it's for purposes of ceremony. They should not have to pay the $60 because there's a McDonald's close by. This is the interpretation by the RCMP, but I know in British Columbia I've had many people apply for sustenance, and they've been denied because they live in a city.

Getting back to the other, it's very important. Take Blueberry River First Nations, and Homalco in Campbell River up at Bute Inlet, for example. They need firearms there for protection against the grizzlies that come walking through the camp.

Mr. Sven Spengemann: Mr. Nielsen, thank you for that. That's very helpful.

I'm running out of time. I want to get to my second question. I want to put on the record that the government did consult with the first nations chiefs of police in formulating the bill. In that context, I want to ask you about something that has not been raised yet in our discussion this afternoon, even though it has been raised in other panels, and that is the incidence of suicide and its connection to the availability of firearms. Do either of you have comments on that and particularly on how this bill may help us to move into different territory on this issue?

Please just be very brief.

Mr. Hugh Nielsen: Because there was a lack of training in the past, the biggest concentration of firearms in first nations communities.... A lot of the elders have not transferred the knowledge down to the youngers. It's only on storage. The storage is a very important thing for a firearm because if it gets into the hands of somebody who could inadvertently shoot themselves...and they don't know this.

Mr. Sven Spengemann: Be very brief. There is 20 seconds for you on that issue, and then I'm out of time.

● (1350)

Vice-Chief Heather Bear: There needs to be secure storage.

Mr. Hugh Nielsen: It's about storage.

Mr. Sven Spengemann: Thank you very much for that.

The Chair: Apparently storage is important.

Mr. Motz, go ahead for five minutes, please.

Mr. Glen Motz: Thank you, Mr. Chair.

I want to go back and clarify some things.

Mr. Fragiskatos is trying to stir water that he's already muddied with respect not only to classifications but also to gunsmiths.

If you look at the Firearms Act it says you authorize transport "to and from a business that holds a licence authorizing it to repair or appraise prohibited firearms or restricted firearms." If you want to know more about that, Peter, you can go have a look at the Firearms Act. It's already in legislation.

Number two is the classification. We've heard from many witnesses, and I've received huge amounts of correspondence in regard to the concern with the RCMP being the final arbiter on the classification of firearms, given the enormous errors that have been made in the past, and with regard to the fact that the RCMP has that role, and in this act, the sole role, without parliamentary oversight. It's not that parliamentarians need to be the individuals who classify firearms, but they need to be the final authority on what that looks like, and those who have that final authority should be accountable to somebody and that is to the Canadian public. I know that you might have some comments about that, and if you can work them in, that would be great.

Mr. DeMille, you indicated that your organization has conducted a survey of your members. When asked whether Bill C-71 would make communities safer, how many people, would you say, responded to that particular survey out of your hundreds of thousands of members?

Mr. Matt DeMille: We had 3,500 people who responded to the survey and we had many comments related to that. I think the question wasn't phrased exactly like that, but I think we had a question—maybe Brian could pull that up quickly— related to whether they thought this legislation was going to enhance public safety. Ninety-seven per cent thought there wouldn't be any net gains to public safety.

To your previous question about the classification process, a third of our supporters actually come from urban or mixed urban-rural ridings. I think it's important to note that we're not a northern group. Our members and supporters come from all walks of life and from every riding and background you can imagine.

I think it's not about having a sympathetic response or a popularity contest. I think what we're looking for is an open and transparent dialogue on this. It's not about getting the answer we want. It's about having a good informed discussion that we can make decisions on. That's what we want for classification.

Mr. Glen Motz: Would you consider having more people involved in that besides the RCMP, as well as other experts who might have even more expertise than the RCMP as part of that process, to be a wise decision?

Mr. Matt DeMille: Yes. I think having transparency in the way we look at the information to make the decisions but also transparency in the decision-making as to why it was done and the evidence that was used to support it, at both the front and back ends, is important.

Mr. Glen Motz: I believe you said as part of your conversation, at the front end, that the lack of parliamentary oversight and responsibility on classifications is a problem.

Mr. Matt DeMille: I think both the lack of oversight and having it up to an individual group is a problem.

Mr. Glen Motz: Thank you.

Do you have any further comments from your organization or from your perspective?

Mr. John Hipwell: We're all on the same page here. We're talking the same language.

Mr. Glen Motz: We are...or these guys are. Okay. I just wanted to clarify that.

Mr. John Hipwell: I think there's a lot more common ground in this room than a lot of people would give credit to. I don't have a problem with firearms classification, but let's have the definitions clearly defined so that I can go to a designer or a manufacturer and say, "This is what we have to have in Canada. This is approved; this isn't."

Mr. Glen Motz: In line with that, having more involved in it, having those experts besides just the RCMP—

Mr. John Hipwell: Absolutely.

Mr. Glen Motz: —is valuable for the public safety of Canadians.

Mr. John Hipwell: Yes, because we'll get a much more informed decision. We'll get a better decision.

Mr. Glen Motz: Thank you.

Have the members of your organization indicated any economic impact that might be...? I know that gun owners and gun-shops might have some...but have you gotten back anything in your surveys or had any comments suggesting that this Bill C-71 might have some negative economic impact on your membership?

● (1355)

Mr. Matt DeMille: I think I would maybe pass that off to those guys. They might be—

Mr. Glen Motz: I know the answer from those guys already.

The Chair: I want to thank Mr. Motz for his questions, which ran overtime again.

We have a final few minutes. Does anyone else wish to ask a question?

Ms. Damoff.

Ms. Pam Damoff (Oakville North—Burlington, Lib.): I have a question for Ms. Bear.

We've talked a lot about guns and gangs. When we had Dr. Drummond here at the last meeting, he was quite concerned that we were not talking about suicide. My colleague Mr. Spengemann brought this up. Almost 75% of gun-related deaths in Canada are death by suicide using a gun. One thing I've asked some witnesses about, and that we've had recommended to us, is adding some criteria to the background check to include something along the lines of whether a person is a threat to themselves or others.

I'm wondering what your thoughts are on that.

Vice-Chief Heather Bear: I think when it comes to mental health issues, there are so many preventative measures we could take. We just released a suicide strategy and a lot of valuable resources need to go into that.

When it comes to suicide and guns, I have experienced that personally. I think it goes back to the security of storage that has to happen in the home. We have guns in our family. They're under lock and key from children. Unfortunately, that is an avenue for suicide. But you know, if a gun isn't there, they'll find something—

Ms. Pam Damoff: That's actually a myth. I was speaking with the emergency physicians when they were here, and it's not borne out in fact that if the gun isn't there.... It actually isn't true. I know that a lot of people think that—

Vice-Chief Heather Bear: I know a lot about suicide. My daughter committed suicide.

Ms. Pam Damoff: I'm sorry. I'm not—

Vice-Chief Heather Bear: My experience is far too deep, like I say, but yes, I agree. With mental health, there should be some restrictions. There again, in the community we know our people.

Ms. Pam Damoff: Thank you.

The Chair: Thank you, Ms. Damoff.

That will conclude our questions.

To the witnesses, on behalf of the committee, thank you for your contributions. I want to apologize once again for the postponing of the entire exercise for an hour. Thank you for your accommodation.

Mr. Paul-Hus, I see you have a motion.

Sorry, Ms. Bear, did you want to say something?

Vice-Chief Heather Bear: Yes.

Just on the last topic, I didn't mean to.... Suicide is preventable. I wasn't saying....

I hope that didn't come out the wrong way; that's what I'm saying.

The Chair: Thank you.

Mr. Paul-Hus.

[*Translation*]

Mr. Pierre Paul-Hus: Thank you, Mr. Chair.

Following the testimony delivered today by experts, and especially by the first nations representative, Ms. Bear, we are asking that the committee be granted a delay to enable it to produce more amendments that are crucial to the credibility of this study. We are asking that the clause-by-clause study of Bill C-71 begin Thursday, June 7, rather than Tuesday, June 5.

[*English*]

The Chair: Thank you, Mr. Paul-Hus. That matter does arise out of matters before us. I take note however that we did not receive 48 hours' notice, and that is probably a motion that could have been put in 48 hours prior. It is not in both official languages; however, it is properly before the committee.

Are you moving and tabling it?

[*Translation*]

Mr. Pierre Paul-Hus: I want to emphasize that this motion is being tabled today following the testimony we have just heard, which is, in our opinion, of capital importance to our work as parliamentarians. It takes into account what we learned today, especially from the first nations.

● (1400)

[*English*]

The Chair: Unfortunately, as I said at the beginning, we have a hard stop at two o'clock. It is two o'clock. I don't think the committee can give me the authority to extend beyond two o'clock, so you're welcome to raise this motion again when the committee reconvenes.

[*Translation*]

Mr. Pierre Paul-Hus: With the committee's permission, we could hold a deferred vote and send everything by electronic means so that this is settled by tomorrow.

[*English*]

The Chair: I don't think we can go to a vote, Mr. Paul-Hus, because we are past two o'clock and—

[*Translation*]

Mr. Pierre Paul-Hus: That is why I am asking for a deferred vote.

[*English*]

The Chair: —therefore, it's finished.

[*Translation*]

Mr. Pierre Paul-Hus: As you wish, Mr. Chair.

[*English*]

The Chair: With that, the meeting is adjourned.

Published under the authority of the Speaker of the House of Commons

SPEAKER'S PERMISSION

The proceedings of the House of Commons and its Committees are hereby made available to provide greater public access. The parliamentary privilege of the House of Commons to control the publication and broadcast of the proceedings of the House of Commons and its Committees is nonetheless reserved. All copyrights therein are also reserved.

Reproduction of the proceedings of the House of Commons and its Committees, in whole or in part and in any medium, is hereby permitted provided that the reproduction is accurate and is not presented as official. This permission does not extend to reproduction, distribution or use for commercial purpose of financial gain. Reproduction or use outside this permission or without authorization may be treated as copyright infringement in accordance with the *Copyright Act*. Authorization may be obtained on written application to the Office of the Speaker of the House of Commons.

Reproduction in accordance with this permission does not constitute publication under the authority of the House of Commons. The absolute privilege that applies to the proceedings of the House of Commons does not extend to these permitted reproductions. Where a reproduction includes briefs to a Committee of the House of Commons, authorization for reproduction may be required from the authors in accordance with the *Copyright Act*.

Nothing in this permission abrogates or derogates from the privileges, powers, immunities and rights of the House of Commons and its Committees. For greater certainty, this permission does not affect the prohibition against impeaching or questioning the proceedings of the House of Commons in courts or otherwise. The House of Commons retains the right and privilege to find users in contempt of Parliament if a reproduction or use is not in accordance with this permission.

Also available on the House of Commons website at the following address: http://www.ourcommons.ca

Publié en conformité de l'autorité du Président de la Chambre des communes

PERMISSION DU PRÉSIDENT

Les délibérations de la Chambre des communes et de ses comités sont mises à la disposition du public pour mieux le renseigner. La Chambre conserve néanmoins son privilège parlementaire de contrôler la publication et la diffusion des délibérations et elle possède tous les droits d'auteur sur celles-ci.

Il est permis de reproduire les délibérations de la Chambre et de ses comités, en tout ou en partie, sur n'importe quel support, pourvu que la reproduction soit exacte et qu'elle ne soit pas présentée comme version officielle. Il n'est toutefois pas permis de reproduire, de distribuer ou d'utiliser les délibérations à des fins commerciales visant la réalisation d'un profit financier. Toute reproduction ou utilisation non permise ou non formellement autorisée peut être considérée comme une violation du droit d'auteur aux termes de la *Loi sur le droit d'auteur*. Une autorisation formelle peut être obtenue sur présentation d'une demande écrite au Bureau du Président de la Chambre.

La reproduction conforme à la présente permission ne constitue pas une publication sous l'autorité de la Chambre. Le privilège absolu qui s'applique aux délibérations de la Chambre ne s'étend pas aux reproductions permises. Lorsqu'une reproduction comprend des mémoires présentés à un comité de la Chambre, il peut être nécessaire d'obtenir de leurs auteurs l'autorisation de les reproduire, conformément à la *Loi sur le droit d'auteur*.

La présente permission ne porte pas atteinte aux privilèges, pouvoirs, immunités et droits de la Chambre et de ses comités. Il est entendu que cette permission ne touche pas l'interdiction de contester ou de mettre en cause les délibérations de la Chambre devant les tribunaux ou autrement. La Chambre conserve le droit et le privilège de déclarer l'utilisateur coupable d'outrage au Parlement lorsque la reproduction ou l'utilisation n'est pas conforme à la présente permission.

Aussi disponible sur le site Web de la Chambre des communes à l'adresse suivante : http://www.noscommunes.ca